

## **REMARKS**

Claims 3 and 4 are cancelled without prejudice or disclaimer. Therefore, claims 1, 2 and 5-16 are the claims currently pending in the Application.

Independent claim 1 is amended to clarify recitations thereof.

### ***Formal Matters***

Applicant thanks the Examiner for acknowledging review and consideration of the references cited in the Information Disclosure Statement filed on October 16, 2003.

However, the Examiner is again respectfully requested to acknowledge the claim for foreign priority and the receipt of the priority document.

### ***Rejections under 35 U.S.C. § 102***

Claims 1 and 14-16 are rejected under 35 U.S.C. § 102 as being anticipated by Sims et al., U.S. Patent No. 5,434,775. This rejection is traversed.

Independent claim 1 requires, *inter alia*, a network monitoring unit that retains in the contents database information of the power on/off status of the apparatuses connected to the network.

According to an aspect of the present invention, information about the on/off state of devices on the network is retained by the network monitoring unit.<sup>1</sup>

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<sup>1</sup> The present discussion illustrates aspects of Applicant's claimed invention. Applicant does not represent that every embodiment of Applicant's claimed invention necessarily

Accordingly, this allows, for example, that the system provide to a requestor a substitute for a turned off database on the network, or provide a turn on signal to the turned off database. Therefore, according to an aspect of the present invention, a situation in which it becomes impossible to search for a particular kind of content may be avoided.

Sims discloses an inventory system of small devices used in hospitals. Sims' discloses giving ID tags to the devices and connecting to a storeroom. By this configuration, Sims enables determination of the locations (for example, the room) of each device. Further, by setting the areas for the devices being repaired and for the devices which are available for use, and separating the systems for connecting the tags, it enables determination of the condition of the devices.

First, Sims does not disclose or suggest a contents database that maintains information about content stored in devices of the network. Further, Sims does not disclose or suggest monitoring information of the power on/off status. Therefore, since Sims does not disclose or suggest these features, Sims is incapable of disclosing or suggesting a network monitoring unit that retains in the contents database information of the power on/off status of the apparatuses connected to the network, as *inter alia* required by independent claim 1.

Claims 14-16 depend from independent claim 1, and thus incorporate novel and nonobvious features thereof. Therefore, claims 14-16 are patentably distinguishable over the prior art for at least the reasons that independent claim 1 is

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embodies or performs the solutions herein discussed.

patentably distinguishable over the prior art. Accordingly, this rejection should now be withdrawn.

***Rejection of Claims 1 and 2 under 35 U.S.C. § 103***

Claims 1 and 2 are rejected under 35 U.S.C. § 103 as being obvious from Williams et al., U.S. Patent No. 6,415,289 in view of Hasegawa et al., U.S. Patent No. 6,370,587. This rejection is traversed.

Independent claim 1 requires, *inter alia*, a network monitoring unit that retains in the contents database information of the power on/off status of the apparatuses connected to the network.

Williams discloses a network information control method utilizing a common command format and a centralized storage management system in which information about content information stored on the network is indexed and stored in a database server (Williams, Abstract).

Williams does not disclose or suggest a network monitoring unit that retains in the contents database information of the power on/off status of the apparatuses connected to the network, as *inter alia* required by independent claim 1.

The Examiner acknowledges that neither Williams nor Hasegawa disclose this feature (Office Action mailed October 5, 2004, page 8). Accordingly, this rejection should now be withdrawn.

***Rejection of Claims 3-12 under 35 U.S.C. § 103***

Claims 3-12 are rejected under 35 U.S.C. § 103 as being obvious from Williams and Hasegawa in view of Takahashi, U.S. Patent Application Publication No. 2002/0035620. This rejection is traversed.

Claims 3 and 4 are cancelled without prejudice or disclaimer, and therefore the rejection is moot as to this claim.

Claims 5-12 depend from independent claim 1, and thus incorporate novel and nonobvious features thereof. Takahashi does not remedy the deficiencies of Williams and Hasegawa as they relate to Applicant's claimed invention. Independent claim 1 requires, *inter alia*, a network monitoring unit that retains in the contents database information of the power on/off status of the apparatuses connected to the network.

Takahashi discloses a control apparatus that reads control information stored in peripheral devices and controls the peripheral devices (Takahashi, Abstract). Takahashi discloses saving power consumption by detecting whether a subsidiary power source is on and turning on a subsidiary power source of a peripheral device if it is determined that it is off (Takahashi, Paragraphs 312-323 referring to Figs. 58-62).

Takahashi does not disclose or suggest retaining in a contents database information of the power on/off status of devices. Further, Takahashi does not disclose or suggest a network monitoring unit that retains in the contents database information of the power on/off status of the apparatuses connected to the network. In fact, Takahashi

does not disclose or suggest the problem of maintaining content information regarding a storage device and on/off status information about the storage device.

Therefore, Williams, Hasegawa and Takahashi, even taken together as a whole, do not disclose or suggest the recitations of independent claim 1. Accordingly, claims 5-12 are patentably distinguishable over the prior art for at least the reasons that independent claim 1 is patentably distinguishable over the prior art.

Moreover, as explained in Applicant's Amendment filed June 29, 2004, it is respectfully submitted that Applicant's claimed invention would not have been obvious from Williams and Hasegawa. Further, there would have been no motivation for Applicant's claimed invention for a person of ordinary skill in the art based on Williams, Hasegawa and Takahashi. Therefore, this rejection should now be withdrawn.

***Rejection of Claim 13 under 35 U.S.C. § 103***

Claim 13 is rejected under 35 U.S.C. § 103 as being obvious from Williams, Hasegawa and Takahashi, in view of the Official Notice taken by the Examiner. This rejection is traversed.

Claim 13 depends from independent claim 1, and thus incorporate novel and nonobvious features thereof. The Official Notice taken does not remedy the deficiencies of Williams, Hasegawa and Takahashi as they relate to Applicant's invention as claimed in claim 1. Therefore, this rejection should now be withdrawn.

For at least the reasons set forth in the foregoing discussion, Applicant believes that the Application is now allowable, and respectfully requests that the

Examiner reconsider the rejections and allow the Application. Should the Examiner have any questions regarding this Amendment or the Application generally, the Examiner is invited to telephone the undersigned attorney.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "George Brieger". The signature is fluid and cursive, with the first name "George" and last name "Brieger" clearly distinguishable.

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